



Hogan Lovells US LLP  
390 Madison Avenue  
New York, NY 10017  
T +1 212 918 3000  
F +1 212 918 3100  
www.hoganlovells.com

December 2, 2020

**VIA ECF AND E-MAIL**

Honorable Katherine Polk Failla  
United States District Court Judge  
Southern District of New York  
40 Foley Square, Room 2103  
New York, New York 10007

Re: ***In re Tether and Bitfinex Crypto Asset Litigation*, Case No. 1:19-cv-09236-KPF**

Dear Judge Failla:

We write on behalf of Defendant Reginald Fowler to request a two-week extension of time to file the Reply in Further Support of Mr. Fowler's Motion to Dismiss the Amended Consolidated Class Action Complaint until Thursday, December 17, 2020. Mr. Fowler's Reply is currently due on Thursday, December 3, 2020.

As Your Honor may be aware, Mr. Fowler is the defendant in a criminal matter in the Southern District of New York before the Honorable Andrew L. Carter, Jr.<sup>1</sup> On November 9, 2020, Hogan Lovells US LLP sought to withdraw our representation of Mr. Fowler (the "Motion"),<sup>2</sup> and we intend to do so in this matter for the same reason. The Motion before Judge Carter is still pending. At this time, we respectfully request that the Court afford Mr. Fowler this short extension of time to enable him to address sufficiently the arguments set forth in his Motion to Dismiss and the Plaintiffs' Opposition should he wish to do so.

This is Mr. Fowler's first request for an extension of time. Plaintiffs do not oppose this request for an extension.

Further, counsel for Defendants iFinex Inc., BFXNA Inc., BFXWW Inc., Tether Holdings Limited, Tether Operations Limited, Tether International Limited, Tether Limited, DigFinex Inc., Ludovicus Jan van der Velde, Giancarlo Devasini, Bittrex, Inc., Poloniex, LLC and Philip Potter filed a letter on November 18, 2020 seeking a similar extension (ECF 155), which the Court granted the following day (ECF 156). The extension requested herein would align Mr. Fowler's briefing schedule with that of the other defendants in this matter.

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<sup>1</sup> *United States v. Reginald Fowler*, No. S3 19 Cr. 254 (ALC).

<sup>2</sup> Motion to Withdraw as Counsel, ECF No. 69, *United States v. Reginald Fowler*, No. S3 19 Cr. 254 (ALC) (S.D.N.Y. Nov. 9, 2020).

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December 2, 2020

We thank the Court for its consideration of this request.

Respectfully submitted,

/s/ Michael C. Hefter

Michael C. Hefter

cc: All counsel of record (via ECF)